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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Mussallem et al.)

**AMENDMENT AND RESPONSE TO
PAPER MAILED 07/01/2004**

Serial No.: 10/758,407)

Filing Date: January 15, 2004)

Date Mailed: October 29, 2004

Attorney Docket No.: POP-101)

Examiner: KING, Anita M.

Title: STAND-OFFS FOR)
SUPPORTING ART AND)
OTHER OBJECTS)

Group Art Unit: 3632

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO PAPER MAILED 07/01/2004

Dear Sir,

Applicant is in receipt of Paper mailed 07/01/2004. Thank you for your continued expedient examination of the present Application.

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STATEMENT OF CLAIMS STATUS

Claims 1-10 are pending.

Claims 1-10 are rejected .

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SUMMARY OF RESPONSE

1. Examiner States: "This is the first office action for application number 10/758,407, Stand-off for Supporting Art and Other Objects, filed on January 15, 2004."

Drawings

2. Examiner States: "The drawings are objected to because the lead lines for reference numbers "96," '120,' and "140" are incorrect~e lead lines should be arrowed lines not underlines, see MPEP 606.02; reference number '93" in Fig. 1 A appears to be referring to the same element as reference number "94"; "???" in Fig. 2C should be deleted; and in Figs. 1 C and 2C, reference number "148," the hole, is suspended on the page, i.e., it is not connected to any other element shown in the figures not is it labeled. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance."

3. Examiner States: "The drawings are objected to as failing to comply with 37 CFR I .84(p)(4) because reference character "150" has been used to designate both junction part and screw or nail. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance."
4. Examiner States: "Figure 1A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance."
5. Examiner States: "The drawings are objected to as failing to comply with 37 CFR I .84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "H," on page 14, line 5 and "V" page 14, line 15. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance."

Specification

6. Examiner States: "The disclosure is objected to because of the following informality: on page 10, line 20, "hole148one" should be -hole 148 one-. Appropriate correction is required."

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Claim Rejections - 35 USC § 102

7. Examiner States: "Claims 1 2, and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 3,529,799 to Schaefer. Schaefer discloses a stand-off system for providing fixed, vertical orientation of artwork (70) or other objects parallel to a vertical surface (60), the system comprising: a bracket (40) having a portion (42) for coupling the bracket to the vertical surface and a vertical mounting plate portion (52), the mounting plate having a shaped opening (54) positioned along an upper edge surface of the mounting plate portion; a stem portion (20) having a mounting surface (22) for rigidly mounting the stem portion onto the artwork, the stem portion further comprising a body portion and flat head portion (28) separated by a shaped neck portion (32), the head and neck portions defining a flange shaped to precisely register with the shaped opening and thereby maintain a predetermined orientation of the artwork or other objects; in which the opening along the upper edge surface of the mounting plate portion of the bracket is round and the shaped neck portion has a corresponding round shape; in which the bracket is formed of a plastic material; in which the stem portion is machined from a single piece of material; in which the stem portion is formed by injection molding; and wherein the portion for coupling the bracket to the vertical surface and the vertical mounting plate portion are connected by side plate portions (48)."
8. Examiner States: "In regards to claim 10, Schaefer inherently teaches the method for providing fixed, vertical orientation of artwork (70) parallel to a vertical surface (60), comprising the steps of: obtaining a bracket; obtaining a stem portion; coupling the bracket to the vertical surface; mounting the stem portion onto the artwork; and interconnecting the stem portion and the bracket by registering the flange with the shaped opening."

Claim Rejections - 35 USC § 103

9. Examiner States: "Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer. Schaefer discloses the claimed invention except for the limitations of the opening and the neck portion having a rectangular, square, or V shape. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the shapes of the opening and the neck portion to have been rectangular, square, or V shaped for the purpose of providing an aesthetically different appearance to the elements and since such modifications would have not produced any unexpected results."

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